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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/318,031	05/25/1999	PAUL MARKO	XM-0022	9813

7590 12/11/2008  
BENMAN & COLLINS  
2049 CENTURY PARK EAST  
SUITE 2740  
LOS ANGELES, CA 90067

EXAMINER
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BEAMER, TEMICA M

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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12/11/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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BENMAN & COLLINS  
2049 CENTURY PARK EAST  
SUITE 2740  
LOS ANGELES CA 90067

Mail Date: 12/11/08

Application Number: 09/318031

**NOTICE TO PAY BALANCE OF ISSUE FEE**

The issue fee payment filed on 11/26/08 has been received. Although the fee paid in the Notice of Allowance was paid, new patent fees went into effect on October 2, 2008 after the mailing date of the Notice. In accordance with Sections 801 and 803 of the Consolidated Appropriations Act, 2005 (H.R. 4818) "the provisions of this title shall take effect on the date of enactment of this Act. . . the provisions of section 801 shall apply to all patents, whenever granted, and to all patent applications pending on or filed after the effective date." See also, Revision of Patent Fees for Fiscal Year 2009-Final Rule, 73 Fed. Reg. 47534 (Aug. 14, 2008) and Consolidated Security, Disaster Assistance and Continuing Appropriations Act, 2009 (H.R. 2638). Because the issue fee was paid on or after October 2, 2008, the new issue fee was due instead of the amount specified in the Notice of Allowance.<sup>1</sup>

In accordance with 37 CFR 1.18, applicant is given a time period of **THREE (3) MONTHS** from the mailing date of this notice during which to pay the **BALANCE DUE** indicated below. The balance due is the difference between the issue fee required on the date that the correct issue fee is paid and the amount that was previously paid. This three-month time period may not be extended. If the balance due is not paid before the expiration of the three-month period, the application will become abandoned (if not issued) or the patent will lapse (if issued) at the termination of the three-month period.

App. Type	Column A Issue Fee Req. large entity / small entity	Column B Issue Fee PAID	Balance Due. Col. A minus Col. B
UTILITY or REISSUE	\$1,510.00 / \$755.00	\$ 1440.00	\$ 70.00
DESIGN	\$860.00 / \$430.00	\$	\$
PLANT	\$1,190.00 / \$595.00	\$	\$

/ Betty Powell /  
Office of Data Management  
Office: 703-308-9250x160  
Fax: 571-270-9835

A copy of this notice MUST be returned with payment.  
CERTIFICATE OF MAILING

<sup>1</sup> Applicants should check the current fee schedule posted on the USPTO Internet web site at: <http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct issue fee is paid. If applicable, fees may also be paid by EFS Web, Credit Card or Deposit Account.

I hereby certify that this notice and the required additional fee are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_